

April 19, 2021

Liz Richter  
Acting Administrator  
Centers for Medicare & Medicaid Services  
7500 Security Blvd  
Baltimore, MD

***RE: Continued Survey Flexibility During the COVID-19 Pandemic***

Dear Acting Administrator Richter:

On behalf of our nearly 5,000 member hospitals, health systems and other health care organizations, our clinician partners – including more than 270,000 affiliated physicians, 2 million nurses and other caregivers – and the 43,000 health care leaders who belong to our professional membership groups, the American Hospital Association (AHA) appreciated the recent flexibility around survey activities provided by the Centers for Medicare & Medicaid Services (CMS). As survey activities resume, **we urge the agency to allow additional suspensions to the survey process, which may be necessary due to new COVID-19 case surges.**

Throughout the course of the COVID-19 pandemic, America's hospitals and health systems have experienced an unprecedented strain on already limited resources and health care personnel. That strain, coupled with the concerns associated with COVID-19 surges, resulted in CMS enacting a number of flexibilities to assist providers on the front lines of the pandemic. One of those flexibilities was a brief suspension of all surveys, except those for immediate jeopardy complaints. The action to temporarily halt most surveys allowed providers to focus their attention and limited resources on pandemic response and vaccination efforts.

Now that national vaccination efforts are well underway and cases have decreased compared to record high COVID-19 diagnoses earlier this year, we appreciate CMS' need to further evaluate survey suspensions. Certification and complaint surveys play a vital role in assuring safety and quality of care for our patients. Our members take this process seriously and embrace the opportunity to demonstrate and improve the quality of the care they deliver. **While we value the survey process and appreciate the importance of its immediate resumption, we urge CMS to remain flexible in its approach, as additional spikes in cases may require the localized or provider-specific suspensions of surveys.**



**To ensure our members understand the possibility exists for additional suspensions to the survey process when necessary, we ask that CMS update recently released guidance with express language permitting further suspensions if necessary.** For example, a new surge in COVID-19 cases, as is currently the case in areas of Michigan, may place additional stress on hospitals' and health systems' resources while also creating an increasingly less safe work environment for survey staff. If another surge occurs – whether locally, regionally or nationally – CMS should, either proactively or by notification from a specific hospital or health system, suspend survey activities for that particular location, allowing providers to focus on responding to the needs of their community with the intention of fulfilling their survey obligations once the surge in cases becomes more manageable.

The AHA appreciates the continued support and assistance that CMS is providing to our members so that they are best positioned to care for their patients and communities. We ask that the agency remain flexible as our hospitals and health systems continue to care for patients during and after this national emergency. We look forward to continuing to work with you to protect the health of our nation.

Sincerely,

/s/

Thomas P. Nickels  
Executive Vice President